

NOTICE OF PUBLIC MEETING OF THE ARIZONA STATE PARKS BOARD

Notice is hereby given to Members of the Arizona State Parks Board (Board) and the general public that there will be a General Parks Board meeting, to begin on **Thursday, April 29, 2010 at 8:30 AM** pursuant to A.R.S. § 38-431.02 and A.R.S. § 41-511.01 *et. seq.* at the Arizona State Parks Board Room located at 1300 W. Washington St, Phoenix, AZ. Members of the Board will attend either in person or by telephone conference call.

The Board may elect to hold an Executive Session for any agenda item at any time during the meeting to discuss or consult with its legal counsel for legal advice on matters listed on this agenda pursuant to A.R.S. §38-431.03 (A) (3). Items on the Agenda may be discussed out of order, unless they have been specifically noted to be set for a time certain. Public comment will be taken. The Board will discuss and may take action on the following matters.

AGENDA

(Agenda items may be taken in any order unless set for a time certain)

- A. **CALL TO ORDER FOR EXECUTIVE SESSION - ROLL CALL - Time Certain: 8:30 A.M.**
- B. **EXECUTIVE SESSION** - Upon a public majority vote, the Board may hold an Executive Session that is not open to the public for the following purposes:
 - 1. **To discuss or consult with its legal counsel of legal advice on matters listed on this agenda pursuant to A.R.S. §38-431.03.A.3.**
 - a. **Legal advice regarding proposed legislation and agreements and/or leases for operations, maintenance, and capital improvements at Lake Havasu State Park (Windsor Beach).**
- C. **CALL TO ORDER - ROLL CALL**
- D. **INTRODUCTIONS OF BOARD MEMBERS AND AGENCY STAFF**
 - 1. **Board Statement** - "As Board members we are gathered today to be the stewards and voice of Arizona State Parks and its Mission Statement to manage and conserve Arizona's natural, cultural, and recreational resources for the benefit of the people, both in our parks and through our partners."
- E. **CALL TO THE PUBLIC** – Consideration and discussion of comments and complaints from the public. Those wishing to address the Board must register at the door and be recognized by the Chair. It is probable that each presentation will be limited to one person per organization. Action taken as a result of public comment will be limited to directing staff to study or reschedule the matter for further consideration at a later time.

F. BOARD ACTION ITEMS

- 3
1. **Options for operations, maintenance and capital improvements at Lake Havasu State Park.** Staff recommends the Arizona State Parks Board direct staff to pursue discussions with Lake Havasu City, Bureau of Land Management (BLM), and other interested parties regarding agreements that will enhance the future amenities and services at Lake Havasu State Park and direct staff to draft an agreement for the continuous operation of Lake Havasu State Park should the Arizona State Parks Board determine there is insufficient state money and it is in the best interest of the state to close the park.

G. TIME AND PLACE OF NEXT MEETING AND CALL FOR FUTURE AGENDA ITEMS

1. Staff recommends that the next Arizona State Parks Board Meeting be on Wednesday, May 19, 2010.
2. Board members may wish to discuss issues of interest to Arizona State Parks and request staff to place specific items on future Board meeting agendas.

H. ADJOURNMENT

Pursuant to Title II of the Americans with Disabilities Act (ADA), Arizona State Parks does not discriminate on the basis of a disability regarding admission to public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the acting ADA Coordinator, Nicole Armstrong-Best, (602) 542-7152; or TTY (602) 542-4174. Requests should be made as early as possible to allow time to arrange the accommodation.

Renée E. Bahl 27 April 2010
Renée E. Bahl, Executive Director

4/27/10 1:07 PM

**OPTIONS FOR OPERATIONS, MAINTENANCE AND
CAPITAL IMPROVEMENTS AT LAKE HAVASU STATE PARK**

Background

Lake Havasu State Park (Park) is comprised of Contact Point and Windsor Beach units. These properties are held by Arizona State Parks via Bureau of Land Management (BLM) Recreation and Public Purposes Act patent, lease and deed.

Current Status

On March 17, 2010, the Board voted to continue to operate the Park in response to a letter from Lake Havasu City (City) requesting a lease agreement for \$50,000 per annum over a 25-year term. Proposed legislation requires the Board to enter into a lease.

The provisions of House Bill 2464 require the Parks Board to enter into a lease for 25 years and to receive no more than \$50,000 annually. One proposed amendment (Gould, 4/26/2010, 1:21 pm, attached) provides for a 15-year lease and profits first to reimburse the City for capital improvements, and remaining profits be divided equally between the City and the agency.

The Park currently has a \$90,000 operating *profit* through March of this fiscal year compared to an \$118,000 operating *loss* for the same period last fiscal year (see attached charts).

Staff Recommendation

Staff recommends that they be directed to pursue discussions with Lake Havasu City, BLM, and other interested parties regarding agreements that will enhance the future amenities and services at Lake Havasu State Park and direct staff to draft an agreement for the continuous operation of Lake Havasu State Park should the Arizona State Parks Board determine there is insufficient state money and it is in the best interest of the state to close the park.

Recommended Board Action

I move the Arizona State Parks Board direct staff to pursue discussions with Lake Havasu City, BLM, and other interested parties regarding agreements that will enhance the future amenities and services at Lake Havasu State Park and direct staff to draft an agreement for the continuous operation of Lake Havasu State Park should the Arizona State Parks Board determine there is insufficient state money and it is in the best interest of the state to close the park.

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2464

(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Lease of state parks

3 The state parks board established by title 41, chapter 3, article 1.1,
4 Arizona Revised Statutes, shall enter into a lease agreement with an
5 incorporated city or town that is adjacent to a state park that provides
6 fishing and boating facilities along the Colorado river to lease that state
7 park. If agreed to by the city or town, the lease agreement shall be for a
8 period of twenty-five years with lease payments of no more than fifty
9 thousand dollars per year."

10 Amend title to conform

RON GOULD

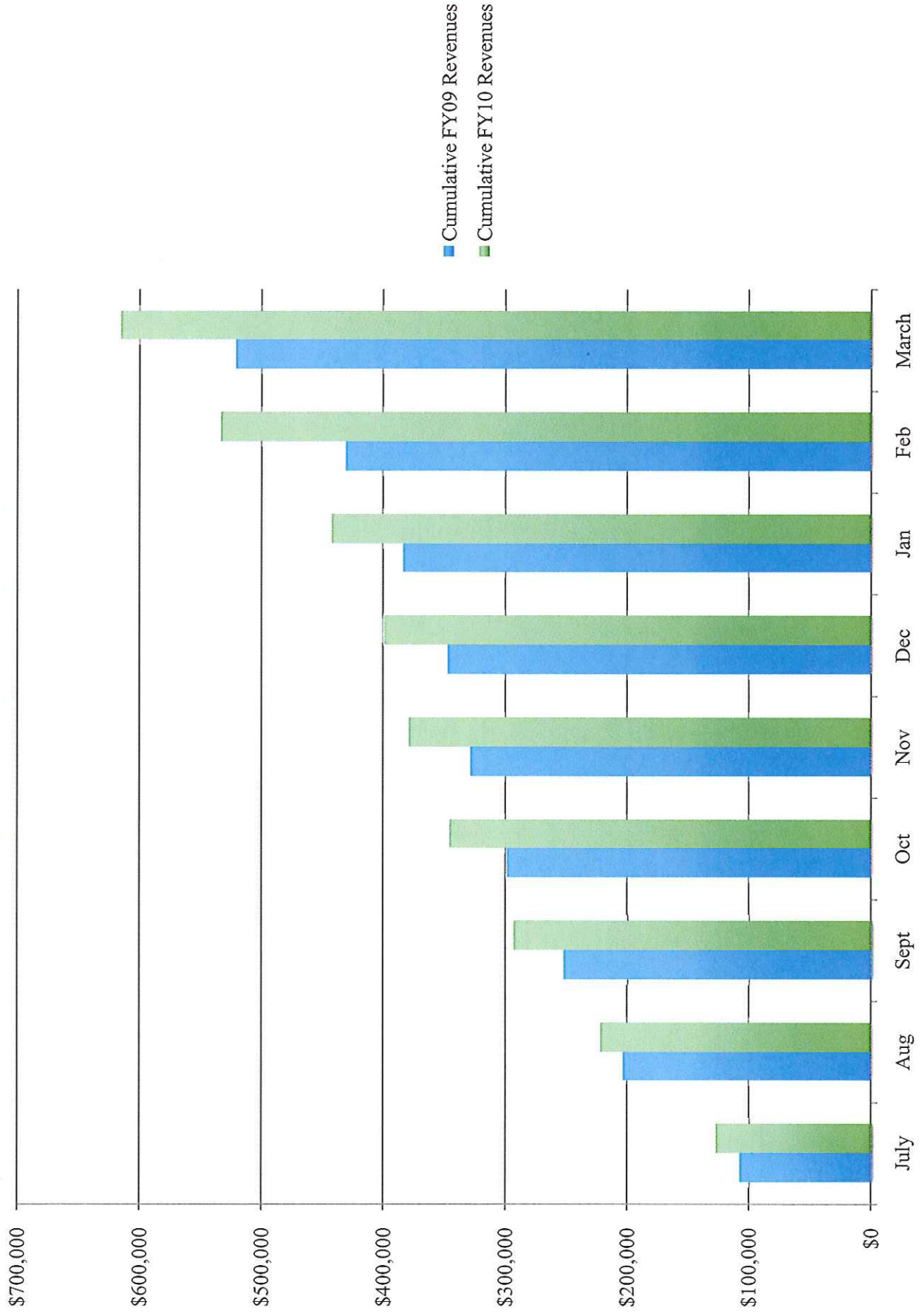
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GOULD FLOOR AMENDMENT
SENATE AMENDMENTS TO H.B. 2464
(Reference to APPROP amendment)

1 Page 1, line 2, after "parks" insert "; park enterprise fund; definitions"
2 Line 3, before "The" insert "A."; after "The" insert "Arizona"
3 Line 7, after the period insert "B."; after "shall" strike remainder of line
4 Strike lines 8 and 9, insert "include the following provisions:
5 1. The lease agreement between the Arizona state parks board and the
6 incorporated city or town shall be for a period of fifteen years.
7 2. The incorporated city or town shall establish a park enterprise
8 fund as a separate account from all other accounts of the city or town and
9 the park enterprise fund shall not contain any other city or town monies
10 except as provided by this subsection.
11 3. A requirement that the incorporated city or town is entitled to
12 receive no more than one hundred thousand dollars per fiscal year of park
13 profits as a reimbursement for capital expenditures on the park by the
14 incorporated city or town.
15 4. The park enterprise fund is entitled to receive fifty per cent of
16 all remaining park profits in a fiscal year and the incorporated city or town
17 shall transmit fifty per cent of all remaining park profits in a fiscal year
18 to the Arizona state parks board for deposit in the state parks fund
19 established pursuant to section 41-511.11, Arizona Revised Statutes.
20 C. For the purposes of this section:
21 1. "Expenses" means all costs to maintain the state park.
22 2. "Gross revenues" means all gate receipts, excluding special event
23 gate receipts, and all revenues obtained from concessionaires.
24 3. "Park profits" means gross revenues minus expenses'."
25 Amend title to conform

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Lake Havasu State Park Revenues: FY09 v. FY10



Lake Havasu State Park Expenditures: FY09 v. FY10

